

SENATE BILL 4029
By Burks

AN ACT to amend Chapter 130 of the Acts of 1907; as amended by Chapter 375 of the Acts of 1909, Chapter 535 of the Private Acts of 1953, Chapter 168 of the Private Acts of 1994, Chapter 58 of the Private Acts of 2001, and any other acts amendatory thereto; and any other acts amendatory thereto, relative to the Town of Livingston, Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 2 of Chapter 130 of the Acts of 1907, as amended by Chapter 375 of the Acts of 1909, Chapter 58 of the Private Acts of 2001, and any other acts amendatory thereto, is amended by deleting the section in its entirety and by substituting instead the following:

Section 2. *Be it further enacted*, That the government of said Town shall be vested in a Mayor and six (6) Aldermen elected as follows:

Effective with the election in 2006 and thereafter, the Mayor shall be elected for a term of four (4) years, and the Aldermen elected as follows:

(a) Aldermen to be elected in the 2006 municipal election shall be elected for a term of four (4) years.

(b) Aldermen to be elected in the 2008 municipal election shall be elected for a term of two (2) years; and

(c) Thereafter in the municipal elections held in 2010 and all future elections, all Aldermen shall be elected for a term of four (4) years, and the Mayor shall also be elected for a term of four (4) years in all future municipal elections.

From and after the municipal elections held in 2010, municipal elections for the Town of Livingston will be held every four (4) years.

SECTION 2. Section 3 of Chapter 130 of the Acts of 1907, and any other acts amendatory thereto, is amended by deleting the language "two (2) years" and by substituting instead the language "four (4) years".

Section 3 is further amended by deleting all language in the section after the third sentence, and by substituting instead the following:

Subject to approval of the Board of Aldermen, the Mayor may fill all vacancies occurring in office, except that of Aldermen, and he shall receive compensation or salary fixed within the limitations of this act by the Board of Aldermen. An incoming Mayor's salary shall not be less than the salary of the outgoing Mayor, and the salary may be increased by a majority vote of the Board of Aldermen, provided, once the salary is set by the Board, the salary of the Mayor may not be altered prior to the end of the term for which the Mayor was elected.

It shall be the duty of the Mayor to preside at all meetings of the Board, but the Mayor shall not be permitted to vote on any item or issue coming before the Board, except in the case of a tie, in which case the Mayor shall be permitted to vote to break the tie. In the event the Mayor is absent, the Vice-Mayor will act in this capacity.

SECTION 3. Section 4 of Chapter 130 of the Acts of 1907, as amended by Chapter 168 of the Private Acts of 1994, Chapter 58 of the Private Acts of 2001, and any other acts amendatory thereto, is amended by deleting the first sentence of the second paragraph in its entirety, and by substituting instead the following language:

The Board of Aldermen shall have full power and authority to approve or disapprove the appointment of all officers, servants and agents of the corporation as they deem necessary, and within the restrictions of this act, fix the pay and compensation of the same; and they shall have the power, for sufficient cause, to dismiss and discharge any officer or agent they may appoint by majority vote of the Aldermen.

SECTION 4. Section 13 of Chapter 130 of the Acts of 1907, as amended by Chapter 535 of the Private Acts of 1953, Chapter 58 of the Private Acts of 2001, and any other acts amendatory thereto, is amended by deleting from subsection (a) the language, "biennially" and by substituting instead the language, "every four (4) years, except for the years of 2006 and 2008, as provided in Section 2(a) and 2(b)".

Section 13 is further amended by deleting the language "Mayor for two (2) years" and by substituting instead the language "Mayor for four (4) years".

Section 13 is further amended by deleting the following language:

There shall be six (6) Aldermen for the Town of Livingston with three (3) being elected every two (2) years for a four (4) year term. Candidates shall run citywide, with all persons eligible to vote in City elections voting for three (3) candidates. The three (3) candidates receiving the highest number of votes shall be elected.

and by substituting instead the following:

Pursuant to Section 2(a), (b) and (c), Alderman candidates in 2006 shall be elected for a term of four (4) years, and all Alderman candidates in 2008 shall be elected for a term of two (2) years (one time only). Beginning in the election in 2010, all six (6) Aldermen shall be elected for four (4) year terms. All Alderman candidates shall run city wide, and the top six (6) vote-getters shall be elected.

SECTION 5. Section 22 of Chapter 130 of the Acts of 1907, and any other acts amendatory thereto, is amended by deleting the language "two years" and by substituting instead the language "four (4) years".

SECTION 6. This act shall have no effect unless it is approved by a majority of the number of qualified voters of the Town of Livingston voting in an election on the question of whether or not the act should be approved. The ballots used in the regular election to be held in August 2006 shall have printed on them the substance of this act, and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws

applicable to general elections shall apply to the determination of the approval or rejection of this act.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.